GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Allegation of Disproportionate Assets against Sri Settipalli Seshagiri Rao, Lower Divisional Steno O/o. the Deputy Commissioner, Prohibition & Excise Department, Guntur district – Ordered for attachment of properties - charge sheet filed in the Special Court for SPE & ACB Cases, Vijayawada - Orders of Hon'ble High Court dated 24.02.2020 in W.P. No. 2545 of 2020– Implemented – orders – Issued.

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REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.Rt.No.783 **Dated:15/12/2021**

Read the following:-

1) From the D.G., ACB,A.P., Lr.No.Rc.No.40/RCA-CIO/ 2012, dt.13.05.2012
2) G.O.Ms.No.447 Rev (Vig.V) Dept., dated 12.07.2012.
3) From DG, ACB Lr.Rc.No.40/RCA-VGT/2012-S17, Date 31.08.2017.
4) From DG, ACB Lr.Rc.No.40/RCA-VGT/2012-S17, Date 10.10.2018.
5) Govt.Memo.No.26850/Vig.IV.2/2012-1, Dt.15.03.2021.
6) From the Honble High court show cause notice in C.C No.239 of 2021 in W.P.No.2545 of 2019.
7) From the CPE Cro.No.895/2020/CPE/C4, Dt.18.03.2021.

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O R D E R :

Whereas, in the reference 1st read above the Director General, Anti Corruption Bureau has stated that the Anti Corruption Bureau authorities has registered disproportionate assets case against Sri Settipalli Seshagiri Rao, Lower Divisional Steno O/o. the Deputy Commissioner, Prohibition & Excise Department, Guntur District and requested to issue orders for attachment of properties 0f the individual. Accordingly orders were issued in the reference 2nd read above.

2. In the reference 3rd read above, the Director General, Anti Corruption Bureau has recommended the Accused Officer for Prosecution in a court of Law and also recommended for departmental action for major penalty for violation of rule 9 (7) of Andhra Pradesh Civil Services (Conduct) Rules, 1964 as the Accused Officer did not file APRs during his entire service except 1980 & 1986.

3. In respect of above recommendations, the Director General, Anti Corruption Bureau has also reported that:-

A. since the AO retired from the service on attaining the age of superannuation on 31.05.2012 , sanction order for prosecution is not required from the Govt., and charge sheet will be filed against the AO in a Court of Law by the Bureau.
B. With regard to departmental action, the AO had retired on 31.05.2012, departmental action is barred by time limitation under rule 8 (2) (b) (ii) of AP Revised Pension Rules, 1980.

4. In the reference 4th read above, the Director General, Anti Corruption Bureau has informed that the charge sheet has been filed against the Accused Officer on 16.07.2018 in the Special Court for Special Police Establishment & Anti Corruption Bureau Cases, Vijayawada and C.C.No. 33/2018 has been assigned.

5. Sri S.Seshagiri Rao, Retired L.D. Steno, Prohibition & Excise Department has filed W.P.No.2545 of 2020 before the Hon'ble High Court on 24.02.2020 in W.P.No.2545 of 2020 the Hon'ble Court has made the following orders :- (operative portion):

Contd.,2

"In that view of the matter, this Court is of the opinion that as per the directions in G.O.Rt.No.1097, dated 22.06.2000, the petitioner is entitled for encashment of Earned Leave and also 80% of the gratuity as prayed for in the Writ Petition. The stand taken by the Government is over ruled. The respondents are directed to forthwith process and pay the encashment of Earned Leave and 80% of the gratuity to the petitioner.

6. In the reference 5th read above, it was requested the Commissioner of Prohibition and Excise to file Writ Appeal against the order dt:24.02.2020 in WP 2545 of 2019 and the Director General, Anti Corruption Bureau has also requested to furnish his remarks on the status of prosecution.

7. In the reference 6th read above a show cause notice before admission dt.17.02.2021 in Contempt case No.239 of 2021 in W.P.No.2545 of 2019 has been received from the Hon'ble High Court of Andhra Pradesh filed by Sri S.Seshagiri Rao, Retired LD Steno, Guntur Division for non-implementation of the orders in W.P.No.2545 of 2019 dated:24.02.2020.

8. In the reference 7th read above, the Commissioner of Prohibition and Excise has reported that the Accused Officer is facing Disproportionate assets case and as no amounts are to be recovered from the encashment of Earned Leave and has requested the Govt to take appropriate action in the circumstances of the case and to avoid legal complications.

9. Government, after careful examination of the matter, and in compliance with the orders dated 24.02.2020 in W.P.No.2545 of 2020 of the Hon'ble High Court of Andhra Pradesh hereby accord sanction of Encashment of Earned Leave and 80% of the gratuity which are due to Sri Settipalli Seshagiri Rao, L.D. Steno O/o. the Deputy Commissioner, Prohibition & Excise Department, Guntur now retired as per G.O.Rt.No.1097, Fin. Plg. (PW.Pen.I) Department, dt.22.06.2000, subject to outcome of the Appeal / disciplinary case pending against him.

10. The Commissioner of Prohibition and Excise shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri Settipalli Seshagiri Rao, retired Lower Divisional Steno O/o. the Deputy Commissioner, Prohibition & Excise Department, Guntur District , now retired through Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.
The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Andhra Pradesh Vigilance Commission, Andhra Pradesh Secretariat, Velagapudi.
The Principal Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Government Pleader for Services - I, Andhra Pradesh High Court, Amaravati.
The Director of Treasuries and Accounts, Andhra Pradesh, Vijayawada.
SF/SCs.

//FORWARDED:: BY ORDER//

R. Vijaykushalu
SECTION OFFICER